

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DODIE CORDOVA, et al.,

Plaintiffs,

v.

CIV 16-0184 KBM/WPL

DAVID MELASS, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. The pro se Complaint recites that the basis for federal subject matter jurisdiction lies in diversity of citizenship pursuant to 28 U.S.C. §1331 “because the plaintiffs and defendants are citizens of different states and the amount in controversy exceeds \$75,000.00. . . .” *Complaint, Doc. 1* at ¶ 3.1. Yet Plaintiffs allege that two of the plaintiffs (Horacio Cordova, Jr. and Gloria Bliven) and one of the defendants (Cullen Hallmark) are citizens of the State of New Mexico. Diversity subject matter jurisdiction, however, requires complete diversity – that is, no plaintiff can be a citizen of the same state as any of the defendants. *State Farm Fire & Casualty Co. v. Tashire*, 386 U.S. 523, 530-31 (1967).

IT IS THEREFORE ORDERED that, within fourteen (14) days from entry of this Order, Plaintiffs file a response showing cause why their complaint should not be dismissed without prejudice. Failure to respond will result in dismissal of this action without further notice.

A handwritten signature in black ink, appearing to read "Karen B. Mohr", is written over a horizontal line.

UNITED STATES CHIEF MAGISTRATE JUDGE